

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK  
MANHATTAN DIVISION

**In re:**

**JESUP & LAMONT, INC.,**

**Case No. 10-14133-AJG**

**Debtor.**

**Chapter 11**

**NOTICE OF APPEARANCE**

PLEASE TAKE NOTICE that the undersigned attorney appears as counsel for creditor Fifth Third Bank (the "Creditor"), and pursuant to, *inter alia*, Federal Bankruptcy Rules 2002 and 9007 and § 1109(b) of the Bankruptcy Code, requests that all notices given or required to be given in this case, and all papers served or required to be served in this case, be provided to and served upon the undersigned.

PLEASE TAKE FURTHER NOTICE that pursuant to § 1109(b) of the Bankruptcy Code, this request includes not only the notices and papers referred to in the Bankruptcy Rules set forth above, but also includes, without limitation, any and all other orders and notices of application, motion, petition, pleading, request, complaint, or demand, whether formal or informal, whether written or oral, and whether transmitted by or conveyed by mail, courier service, hand delivery, telephone, facsimile transmission, telegraph, telex, or otherwise that (1) affects or seeks to affect in any way any rights or interests of any creditor or party-in-interest in this case, with regards to: (a) the debtor; (b) property of the estate, or proceeds thereof, in which the debtor may claim an interest; or (c) property or proceeds thereof in the possession, custody or control of others that the debtor may seek to use; or (2) requires or seeks to require any act, delivery of any property, payment, or other conduct by the Creditor.

PLEASE TAKE NOTICE that neither this Notice of Appearance nor any later appearance, pleading, claim, or suit shall waive any (1) right to have final orders in non-core matters entered only after de novo review by a District Judge, (2) right to trial by jury in any proceeding so triable in this case or any case, controversy, or proceeding related to this case, (3) right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (4) other rights, claims, actions, defenses, setoffs, recoupments, or remedies to which the Creditor is or may be entitled under agreements, in law or in equity, all of which rights, claims, actions, defenses, setoffs, recoupments, and remedies are expressly reserved.

Respectfully submitted,

/s/ Patricia Brown Fugée

Patricia Brown Fugée, Esq.

New York Bar No. 2390946

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**COUNSEL FOR FIFTH THIRD BANK**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via the Court's electronic filing system this 16<sup>th</sup> day of September, 2010 to the following:

Debtor's Attorney: Ronald J. Friedman, Esq., Silverman Acampora, LLP, 100 Jericho Quadrangle, Suite 300, Jericho, NY 11753, EM: filings@spallp.com

Office of the United States Trustee, 33 Whitehall St., 21st Floor, New York, NY 10004

Jay B. Itkowitz, 305 Broadway, 7<sup>th</sup> Floor, New York, NY 10007, EM: jitkowitz@itkowitz.com

Alan F. Gonzalez, 601 Bayshore Blvd., Suite 720, Tampa, FL 33606, EM: agonzalez@walterslevine.com

AND via U.S. Mail this 16<sup>th</sup> day of September, 2010 to the following:

The Debtor, Jesup & Lamont, Inc., 415 Madison Ave., Suite 1436, New York, NY 10022

Michael R. Dal Lago, Esq., Morrison Cohen LLP, 909 Third Avenue, New York NY 10022

Respectfully submitted,

/s/ Patricia Brown Fugée

Patricia Brown Fugée, Esq.

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